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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/200,430	11/27/98	YAMAMOTO	K 041465-5053
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WM02/0411

EXAMINER

ONUAKU, C

ART UNIT

PAPER NUMBER

2615

DATE MAILED:

04/11/01

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/200,430

Applicant(s)
Yamamoto et al

Examiner
Christopher Onuaku

Group Art Unit
2615



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

- ☒ Claim(s) 1-11 _____ is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-11 _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakai (GB 2 225 147).

Regarding claim 1, Sakai discloses an electronic still camera which can distinguishably indicate the picture signal and the sound signal during recording and reproducing, comprising:

- a) information record medium (see Fig.1&3, magnetic disc 15);
- b) reproduction control information (see the control codes; page 6, lines 10-17; and page 11, lines 26-28;
- c) substantial information including video information and audio information which are related to each other (page 10, line 26 to page 11, line 21);
- d) first reproduction control information to simultaneously reproduce the video information and the audio information out of the substantial information (see page 12, lines 18-27);

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e) second reproduction control information to reproduce only the audio information out of the substantial information (see page 12, lines 9-17).

Regarding claim 2, Sakai discloses wherein the first reproduction control information and the second reproduction control information prescribes a reproduction of a same portion of the substantial information (see page 5, line 21 to page 6, line 17; and page 11, lines 1-30).

Regarding claim 3, Sakai discloses wherein:

a) the first reproduction control information divides the substantial information into a plurality of first information units and prescribes a reproduction control of the first information units (see control codes; when the picture signals are recorded, appropriate control codes are assigned to the picture signals; page 6, lines 10-17):

b) the second reproduction control information divides the substantial information into a plurality of second information units, which are different from the information units, and prescribes a reproduction control of the second information units (see control codes; when the sound signals are recorded, appropriate control codes are assigned to the sound signals; page.6, lines 10-17)

The control codes assigned to the sound signals and picture signal are different since the control codes are based on the type of signal (see .page 6, lines 10-11).

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Regarding claim 4, Sakai discloses wherein the second reproduction control information prescribes a reproduction of the substantial information in a reproduction order which is different from that of the first reproduction control information with respect to a same portion of the substantial information (see page 6, lines 10-17; and col.11, lines 28-30), here in a case of picture signal reproduction, the record (field or frame recording) mode is judged and in the case of the sound signal reproduction, the time mode is judged. Since during recording, the sound signal is recorded based on time mode, and the picture signal is recorded based on the recording mode, the sound signal reproduction order would be different from the picture signal reproduction order.

Regarding claim 5, Sakai discloses another substantial information including only audio information (see page 10, lines 8-10; the camera has two time modes of 10 second and 20 seconds; when the control code fetched by the magnetic head 36 from the magnetic disc 15 is only for the sound signal at the 10 second mode, the control code deciphering portion 47 detects only the control code corresponding to that sound signal. It follows that when the control code fetched by the magnetic head 36 from the magnetic disc 15 is only for the sound signal at the 20 second mode, the control code deciphering portion 47 detects only the control code corresponding to that sound signal; page 12, lines 9-17).

Regarding claim 6, Sakai discloses;

a) an information reproducing apparatus (see Fig.1);

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b) a reading device for reading the substantial information, the first reproduction control information and the second reproduction control information from the record medium (see claim 1 discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);

c) a reproducing device for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed, and reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

Regarding claim 7, Sakai discloses;

a) an information reproducing apparatus (see Fig.1);

b) a reading device for reading the substantial information and the first reproduction control information from the record medium (see claim 1 discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);

c) a reproducing device for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

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Regarding claim 8, Sakai discloses;

- a) an information reproducing apparatus (see Fig.1);
- b) a reading device for reading the substantial information and the second reproduction control information from the record medium (see claim 1 discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);
- c) a reproducing device for reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

Regarding claim 9, Sakai discloses information reproducing method for reproducing an information record medium comprising substantial information including video information and audio information which are related to each other; first reproduction control information to simultaneously reproduce the video information and the audio information out of the substantial information; and second reproduction control information to reproduce only the audio information out of the substantial information(see claim 1 discussions), the information reproducing method comprising ;

- a) a reading process for reading the substantial information, the first reproduction control information and the second reproduction control information from the record medium (see claim 1

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discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);

b) a reproducing process for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed, and reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

Regarding claim 10, Sakai discloses information reproducing method for reproducing an information record medium comprising substantial information including video information and audio information which are related to each other; first reproduction control information to simultaneously reproduce the video information and the audio information out of the substantial information; and second reproduction control information to reproduce only the audio information out of the substantial information(see claim 1 discussions), the information reproducing method comprising ;

a) a reading process for reading the substantial information and the first reproduction control information from the record medium (see claim 1 discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);

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b) a reproducing process for reproducing the substantial information in accordance with the first reproduction control information when a reproduction of the video information and the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

Regarding claim 11, Sakai discloses information reproducing method for reproducing an information record medium comprising substantial information including video information and audio information which are related to each other; first reproduction control information to simultaneously reproduce the video information and the audio information out of the substantial information; and second reproduction control information to reproduce only the audio information out of the substantial information(see claim 1 discussions), the information reproducing method comprising ;

a) a reading process for reading the substantial information and the second reproduction control information from the record medium (see claim 1 discussions; additionally, see head 36 that reads the signals recorded on magnetic disk 15 during playback; page.11, lines 22-30);

b) a reproducing process for reproducing the substantial information in accordance with the second reproduction control information when a reproduction of only the audio information is instructed (see claim 1 discussions; also see Fig.1, control codes and the control code deciphering portion 47; and page 11, lines 22-30).

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Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's invention. Heo et al (US 5,987,417) teach a disk on which high-quality audio data is recorded and a device and method for reproducing audio data recorded on the disk, Ueno et al (US 4,777,537) teach a recording apparatus and method in which voice or audio signal recording tracks and video signal recording tracks can be recorded together on one and the same recording medium, Kaneshige et al (US 6,198,874) teach an information recording method useful in recording video, sound, subvideo, etc, on a recording medium and a recording medium and a reproducing apparatus used with the method, and Taira et al (US 6,125,232) teach an optical disk on which at least one movie, audio information representing various languages one of which can be selected for the movie, a plurality of subpictures and a number of audio streams are recorded, and from which any item of information recorded can be reproduced, a method and apparatus which reproduce information from such an optical disk, and a method and apparatus for recording information on an optical disk of high recording density.
4. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

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Any response to this action should be mailed to:

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or faxed to:

(703) 308-6306 and (703) 308-6296, (for formal communications intended for entry)

Or:

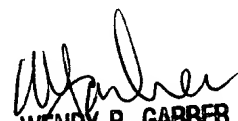
(703) 308-6306 and (703) 308-6296 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be direct to the Group receptionist whose telephone is (703) 305-4700.


COO

4/5/01


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600